

AT A REGULAR MEETING OF THE CULPEPER COUNTY BOARD OF SUPERVISORS HELD IN THE BOARD ROOM, LOCATED AT 302 N. MAIN STREET, ON WEDNESDAY, JULY 5, 2006.

Board Members Present: *John F. Coates, Chairman*
Steven E. Nixon, Vice-Chairman
Larry W. Aylor
William C. Chase, Jr.
Sue D. Hansohn
Brad C. Rosenberger
Steven L. Walker

Staff Present: Frank T. Bossio, County Administrator
J. David Maddox, County Attorney
Valerie H. Lamb, Finance Director
John C. Egertson, Planning Director
Paul Howard, Director of Environmental Services
Peggy S. Crane, Deputy Clerk

CALL TO ORDER

Mr. Coates, Chairman, called the meeting to order at 10:00 a.m.

PLEDGE OF ALLEGIANCE TO THE FLAG

Mrs. Hansohn led the Board and the audience in the Pledge of Allegiance to the Flag.

RE: APPROVAL OF AGENDA - ADDITIONS AND/OR DELETIONS

Mr. Frank Bossio, County Administrator, asked that **PRESENTATION OF CERTIFICATE OF RECOGNITION** be added to the agenda under **GENERAL COUNTY BUSINESS**.

Mr. Nixon moved, seconded by Mr. Walker, to approve the agenda as amended.

Mr. Coates called for voice vote.

Ayes - Aylor, Chase, Coates, Hansohn, Nixon, Rosenberger, Walker

Motion carried 7 to 0.

RE: MINUTES

The minutes of the June 6, 2006 special called meeting and the June 6, 2006 regular meetings were presented to the Board for approval.

Mr. Nixon moved, seconded by Mrs. Hansohn, to approve the minutes as presented.

Mr. Coates called for voice vote.

Ayes - Aylor, Chase, Coates, Hansohn, Nixon, Rosenberger, Walker

Motion carried 7 to 0.

CONSENT AGENDA

Mr. Bossio reviewed the following Consent Agenda items with the Board:

- a. The Board will consider approving a Certificate of Recognition Honoring J. A. Swan, Jr., & Company on the occasion of its 105 years in business.
- b. The Board will consider approving a budget amendment for the Department of Parks and Recreation for a donation received in the amount of \$600. The donation will cover the cost of renting movies through Swank Motion Picture, Inc., for the Summer Movies Program in the Courtyard.
- c. The Board will consider acceptance and appropriation of a grant for the Risk Management Department from Virginia Municipal League (VML) in the amount of \$1,000. The money will be used to help offset the cost of Automated External Defibrillator (AED's) in select County buildings.
- d. The Board will consider acceptance and appropriation of a grant for the Parks and Recreation Department from Virginia Municipal League (VML) in the amount of \$1,000. The money will be to replenish safety materials at the County's Parks.
- e. The Board will consider a request from the Office of Emergency Services to apply for a grant through the Virginia Department of Emergency Management for additional 2005 Homeland Security funds in the amount of \$27,082. The funds will be used to prevent or respond to a terrorist attack involving weapons of mass destruction or bio terrorism. No matching funds required.
- f. The Board will consider acceptance of a grant for the Sheriff's Office from the U.S. Department Homeland Security for the Commercial Direct Assistance Program. The grant provides an Incident Commander's Radio Interface equipment for the Mobile Command Center rather than providing funding. The estimated cost of the equipment is valued at approximately \$20,000. No local match required.
- g. The Board will consider acceptance and appropriation of a grant for the Sheriff's Office from the Department of Criminal Justice Services in the amount of \$2,100. The funding will be used for self-defense tactics and techniques for women. Local match of \$233 required from the Sheriff's operating budget.

h. The Board will consider adopting a resolution to accept cash sponsorships for the Department of Parks and Recreation Movie Programs from Micron Technologies, Inc., in the amount of \$600 and from 4-R Kids, Inc. in the amount of \$550.

Mr. Walker moved, seconded by Mr. Nixon, to approve the Consent agenda as presented.

Mr. Coates called for voice vote.

Ayes - Aylor, Chase, Coates, Hansohn, Nixon, Rosenberger, Walker

Motion carried 7 to 0.

GENERAL COUNTY BUSINESS

PRESENTATION OF CERTIFICATE OF RECOGNITION

Mr. Coates announced that the Board would be honoring the Swan family for their service to the agricultural community in Culpeper County and the 105 years of continued service provided by J. A. Swan, Jr., and Company. He asked Mr. Jim Swan, Mr. David Swan and Mr. Steve Swam to come forward to the podium.

Mr. Bossio read the following proclamation into the record:

***CERTIFICATE OF RECOGNITION
HONORING J. A. SWAN, JR. & CO. ON THE
OCCASION OF ITS
ONE HUNDRED AND FIVE YEARS IN THE COMMUNITY***

WHEREAS, the County of Culpeper is pleased and fortunate to have J. A. Swan, Jr., & Company as an influential business in Culpeper for 105 years of uninterrupted service;

WHEREAS, J. A. Swan, Jr., & Company provides employment opportunities for the citizens of Culpeper; and

WHEREAS, J. A. Swan, Jr., & Company has served the community for four generations, and each generation has continuously provided a valuable service to agriculture; and

WHEREAS, J. A. Swan, Jr., & Company has a long and honorable history in the County and provides a museum quality collection of old farm implements and machinery, which were once vital to the farming community; and

WHEREAS, J. A. Swan, Jr., & Company is recognized as one of the strongest family-owned business in the community;

NOW, THEREFORE BE IT RESOLVED that the Culpeper County Board of Supervisors hereby recognizes the tremendous contributions made by J. A. Swan, Jr., & Company for 105 years and by virtue of this proclamation give notice to our citizens that we are honoring their long standing presence and record of achievement.

DONE, this 5th day of July 2006.

By: Larry W. Aylor, Cedar Mountain District
William C. Chase, Jr., Stevensburg District
Sue D. Hansohn, Catalpa District
Steven E. Nixon, West Fairfax District
Brad C. Rosenberger, Jefferson District
Steven L. Walker, East Fairfax District

/s/ John F. Coates
John F. Coates, Chairman
Culpeper County Board of Supervisors
Salem District

ATTEST:

Frank T. Bossio, Clerk to the Board

Mr. Jim Swan thanked the Board for the recognition and stated it meant a great deal to him and his family. He urged the Board to work diligently to keep the County Farm Services Agency and Soil and Water Conservation District office in Culpeper because that office was a central location where citizens could obtain services.

UPDATE ON THE PROPOSED CLOSING OF THE LOCAL CULPEPER FARM SERVICES AGENCY (FSA) BY THE U. S. DEPARTMENT OF AGRICULTURE

Mr. Bossio reported that Mr. Coates and other Board members had been meeting with Ms. Jacquelin Easter, FSA State Executive Director, to discuss the potential closing of the Culpeper FSA. He noted that the Board had written letters strongly urging that the Culpeper FSA office not be closed and alternative solutions be considered. He stated that one of the solutions discussed was the offer by the Board to subsidize the lease arrangements in order to keep that office in Culpeper. He said that offer was received with enthusiasm on the part of the Regional Director, but the Management Review Team met and recommended they move forward with the draft plan. He indicated that the major issue was that they operated under a categorical line item budget, and they were afraid that Board's offer would reduce the bottom line and those monies would go back into a general fund and redistributed to places unknown. Their main concern was what would happen to the staff and how they would pay for that staffing.

Mr. Bossio stated that Mr. Coates had signed letters to the appropriate Congressmen and Senators explaining the need to ensure that the FSA received full funding for staffing. He also stated that there was a 30-day reprieve in which discussions could take place between the Fauquier Board of Supervisors and the Culpeper Board to discuss how best to combine the efforts of the Fauquier and Culpeper FSA offices. He said that appropriate properties in Culpeper County had been discussed to ensure adequate housing for the FSA office if the two staffs were combined. He noted that the current

Fauquier office was located in the Town of Warrenton, and it was his understanding that space would be inadequate if both staffs were combined. He felt now was the opportune time to look for other space.

Mrs. Hansohn stated she attended the meeting with Ms. Easter on behalf of Mr. Rosenberger and she agreed that Mr. Bossio's assessment of the situation was correct. She said there was now an opportunity to work with the Fauquier Board to determine whether a solution would be to bring the FSA office closer to Culpeper, if not in Culpeper. She felt that a larger office somewhere in the Remington area might be agreeable.

Mr. Coates announced that Mr. Robert Williamson, FSA County Executive Director, and Mr. Taylor, District Manager, were in attendance.

Mr. Williamson stated he had no additional comments, but would be glad to answer any questions. He said there would be a joint meeting this evening between the Culpeper and Fauquier Farm Service Agency County Committees to present information and to work together to achieve a good solution for both counties.

Mr. Rosenberger asked Mr. Williamson when the final decision on closing the Culpeper office would be made. Mr. Williamson replied that he was not sure there was a final date, but the Management Review Team was meeting on July 12.

Mr. Taylor added that the State Management Review Team and Ms. Easter would be meeting July 12, and the State Board of Directors would probably vote to send the plan to Washington for a review to be done within a 120-day time period. He said that if Culpeper and Fauquier Counties developed a plan and sent it forward, the door would still be open for discussion, but the final decision would be made 120 days after the plan was submitted.

Mr. Walker asked whether there were any specific specifications for an existing building if Fauquier and Culpeper Counties were combined, or whether a new building would be required. Mr. Williamson replied that the usual array of requirements would be required, such as handicapped accessibility, adequate square feet of space based on number of employees, and electronic requirements, but he did not believe a new building would be necessary.

Mr. Coates noted that Mrs. Barbara Taylor of Congressman Cantor's office was in attendance and she would update Congressman Cantor on the situation. He said the Board

was committed to working hard to keep the FSA office in Culpeper or close by to ensure accessibility by the local agricultural community.

Mr. Rosenberger concurred with Mr. Coates' comments and added that one point should not be overlooked. If the FSA office were closed and moved to Fauquier County, the County would lose the one-stop shop for farm services. He expressed his appreciation to Mr. Coates, Mrs. Hansohn, and County staff for their efforts in trying to find alternative solutions.

Mr. Coates asked Mr. Williamson and Mr. Taylor to keep the Board informed on what was transpiring, as well as any additional information obtained at the evening meeting. Mr. Williamson assured him that he would report any developments.

Mr. Coates thanked Mr. Williamson and Mr. Taylor for their comments.

No action required.

JOINT PRESENTATION ON NEW ELEMENTARY SCHOOL

Mr. Coates announced that Dr. David Cox, Superintendent of Schools, and Mr. Bossio would present information regarding a new elementary school. He acknowledged the presence of Mrs. Elizabeth Hutchins, Chairman of the School Board; Mrs. Claudia Vento, Vice Chair; and Mr. George Dasher, School Board member.

Mr. Chase stated that he read in the newspaper that the School Board had made a firm decision to expand Farmington Elementary and asked if that was correct. Mr. Coates informed him that was not correct, and Dr. Cox would address that issue during his presentation.

Dr. Cox expressed his appreciation to the Board for considering the construction of a new elementary school a year ahead of schedule. He also acknowledged the representatives from the School Board and pointed out that Mr. Hunter Spencer, Construction Project Manager, was also present.

Dr. Cox discussed the enrollment summary and noted that the school years 1999-2000 through 2001-2002 included the sixth grade. When the Floyd T. Binns Middle School was constructed, the sixth grade moved out of the elementary schools and into the Middle School, and the enrollment figures from 2002 forward covered K-5. He indicated that the summary also included the School Oversight Committee (SOC) enrollment projections and pointed out that the June 2005 enrollment figure for elementary schools was actually 2982, and June 2006 was 3227, both of which were within the ranges predicted.

Dr. Cox pointed out that the Board had received the Resolution adopted by the School Board at its June 26th meeting, together with the construction time line as revised by Mr. Spencer. He said an RFP was in process that would ask for the respective architectural firms to submit a proposal, as well as a prototype design or one used previously that would conform to the site for a 600-student elementary school on the School Board's property on Yowell Drive.

Dr. Cox answered Mr. Chase's question regarding the Farmington addition indicating that the School Board had moved ahead with the RFP advertisement and an architectural firm had been selected to design and oversee that project, but during that time, discussions were held regarding advancing the building of a new elementary school from the School Board's target date of the fall of 2009 to 2008. He explained that the Resolution stated that the School Board would like to indefinitely postpone the building of that addition in lieu of bringing a new elementary school on line in 2008.

Mr. Chase questioned the use of the words "indefinitely postpone" and preferred that "cancel the plans for Farmington" be used instead.

Dr. Cox explained that the School Board felt it appropriate to have a plan for providing appropriate space for students, and the plan for expanding Farmington would be necessary if the new elementary school were not built. He stressed that the clear intent was not to proceed with expanding Farmington, and the School Board strongly believed that the best thing for the County's elementary students would be to move forward with building a new elementary school.

Mr. Chase stated he would prefer that the plan be canceled, rather than indefinitely postponed, and resurrected should the need arise.

Mrs. Hutchins explained that the School Board felt that a backup plan was needed. She said that as long as the School Board knew the funding was available, the new elementary school would move forward and the Farmington addition would be "dead in the water", but the School Board needed assurance that was going to occur.

Mr. Chase indicated he was comfortable with Mrs. Hutchins' explanation.

Mrs. Hansohn stated she would like to hear from Mr. Bossio regarding the availability of funds.

Mr. Walker pointed out that a newspaper article stated the SOC enrollment projections did not match the actual numbers. Dr. Cox agreed that the actual enrollment figures did fall within the range of the SOC projections.

Mr. Walker asked whether Dr. Cox knew what percentage of the estimated 200 new elementary school children were illegal citizens. Dr. Cox replied that there was no way to determinate that number and explained all that was required by law was a birth certificate and immunization record when a student enrolled in the public school system. The birth certificate indicated place of birth, but not whether the individual was in the United States legally or illegally. He cited a Supreme Court case that provided direction and guidance to public schools.

Mr. Walker stated it would be helpful to know how many students were legal or not from a standpoint of long-term planning because he felt that the Federal Government would correct that situation at some point and the information would already be available.

Mr. Bossio provided a presentation on funding for the new elementary school and the Galbreath Marshall expansion project. He said the elementary school was scheduled to open in 2008 at an approximate cost of \$7.4 million in local funds – \$2 million from savings for future educational space; \$2.2 million from the amount set aside for the Farmington addition; \$.7 million from the remainder of turn-in this year; and \$2.5 million redirected from the site plan monies already borrowed but not yet appropriated. He explained that a bond anticipation note (BAN) would be obtained in lieu of a Literary Loan for \$7.5 million. A BAN could be obtained for three-years at a very attractive interest rate until a Literary Loan was obtained. This would bring the total to \$14.9 million to build a 70,000-square-foot school at an approximately cost of \$200 a square foot. He explained that the Galbreath Marshall would cost approximately \$1 million and those funds were part of the \$2 million January 2007 borrowing. He stated that the total borrowing would be approximately \$9.5 million – \$7.5 million for the elementary school and \$2 million for the Galbreath Marshall project.

Mr. Bossio pointed out that the need for preschool space was continuing to rise and children were being turned away. He felt that with the formula presented, both projects could be funded at the same time and provide adequate elementary space and additional preschool space.

Mr. Bossio stressed that from a borrowing standpoint, the Farmington project could not be done once the building of a new elementary school was underway. He pointed out

that during the 2010 time frame, a new jail would be necessary and would cost between \$25-\$30 million, with some money from the State. He said that he would need to consult with the County's financial consultants, but he believed the County could borrow \$15 million in 2008 and \$13 million in 2009, for a total of \$28 million to begin the new jail in 2009.

Mr. Nixon asked for assurance that the new elementary school could be built for \$14.9 million. Mr. Bossio replied that with the estimated cost of \$200 per square foot, he believed that the school could be built for \$14 million with the slow down in the housing industry, the rise in interest rates, and the trends in steel and concrete costs.

Mr. Spencer explained that it would be beneficial to issue the RFP in the manner that would be open to any type of delivery concepts and delivery methods. He said that the experience and techniques gained from past projects would be invaluable in conserving money.

Mr. Nixon said he wanted it to be clear that if the Board proceeded with these projects, funds would be limited and he wanted to be sure that the school could be build within the money available. Mr. Spencer assured him that he would do the best he could to work within that framework.

Dr. Cox added that Literary loans were available and there was a waiting list due to the State's moratorium placed on the monies for a period of time. He said there were generally two windows of opportunity to apply, one in the spring and the other in the fall. He stated he would work hard to submit an application in the fall in order to get on the waiting list since there was usually a three to four year gap between the time of application and the availability of funds.

Mr. Nixon noted that during the three to four year period, the County would be obligated to pay back the interim financing over that period of time, or longer if the Literary funds were not forthcoming, and that would encumber the County's borrowing for the jail. Mr. Bossio pointed out that Literary Loans were not interest free, but carried a low interest rate. He said when the County asked for the bond anticipation loan, it would request that a clause be included to convert in the event a Literary Loan was not available.

Dr. Cox stated that the Virginia Public School Authority (VPSA) was another State funding source, which worked hand-in-hand with the Literary Loan at a very comparable or lower rate. He noted that the VPSA was used for the Floyd T. Binns and high school

renovations. Mr. Bossio agreed that the State was encouraging the use of the VPSA whenever possible because of dwindling monies in the Literary Loan fund.

Dr. Cox expressed the School System's strong support for the addition to Galbreath Marshall building, and he agreed with Mr. Bossio's comments regarding the increase in need for preschool space. He said there were waiting lists for all of the preschool programs, and the Galbreath Marshall renovations were an excellent investment.

Mr. Nixon asked whether the short-term financing would encumber what the County was able to borrow in the future. Mr. Bossio replied that whether the financing was short-term or long-term, it counted as an encumbrance on the total amount of dollars that could be borrowed, not to exceed \$10 million as of December in any year.

Mr. Walker questioned whether the new elementary school was a turn-key operation including soft costs and, if not, what the soft costs would be. Mr. Spencer replied that the initial estimates in the CIP showed \$18 million hard costs and \$3.2 million soft costs. He felt the work could be done for less based on the experience gained on recent projects, but a design team would need to be established.

Mr. Walker asked whether SHW who had qualified for the Farmington addition could be used for the new elementary school. Mr. Spencer replied that a new RFP would need to be advertised. Mr. Walker expressed concern that would cause a delay, but Mr. Spencer assured him that the RFP was ready and would go out as soon as the School Board authorized him to release it. He said the RFP would ask the architects not just to send in their history and previous work experience, but to submit a design for a 600 to 650 student capacity elementary school on the School Board site. He said all site information, program statement for the building, etc., would be included with the RFP.

Mr. Walker questioned whether the 650-student capacity represented program capacity or design capacity. Mr. Spencer replied that it was program capacity. Mr. Walker asked whether that would be equivalent to a 750-student design capacity. Mr. Spencer replied that it would depend upon the use of the space, but the intent was to build a school similar to A. G. Richardson Elementary, to which the State assigned a 650 capacity. He explained that the State assignment was based on 23 to 25 students per classroom, and if a room was designated as a takeout program or gifted/talented program, it had a zero value for capacity.

Mr. Walker asked how long the RFP process would take. Mr. Spencer replied that proposals should be received by July 31, and interviews would begin the following week. Mr. Walker inquired whether the design team would be assembled by sometime in August. Mr. Spencer replied that he anticipated the School Board would approve a selection committee on September 11, and Dr. Cox would submit the School Board's recommendation to the Board of Supervisors at its October 3rd meeting.

Mr. Nixon stated that the designs submitted with the RFP would be specific to the site, as opposed to just a general design. Mr. Spencer agreed and noted that the usual group of architects would be submitting proposals and they were fully qualified.

Mr. Nixon stated he assumed the funds would not be appropriated at this time, but the Board would act on the intent. Mr. Bossio agreed that the funds could not be appropriated without a public hearing, but he would need to know from Mr. Spencer how much of the \$7.4 million would be needed for the next six months to a year in order to begin the process. Mr. Spencer stated he would issue a notice to proceed as soon as a construction contract was signed, and he estimated he would start construction June 6, 2007. Mr. Bossio asked Mr. Spencer to submit a schedule of dollars to be appropriated for approval by the Board of Supervisors.

Mrs. Hansohn pointed out that the Resolution asked for a commitment from the Board of Supervisors before the process could begin and asked whether the delay in appropriating the funds would be in conflict with the School Board Resolution. Dr. Cox replied the School Board's intent was for the Board of Supervisors to formally endorse the Resolution and vote to endorse the concept and advertise for a public hearing.

Mrs. Hansohn stated that the decision to move forward with building a new elementary school, instead of building an addition to Farmington, was a good solution to the overpopulation of the schools.

Mrs. Hansohn moved, seconded by Mr. Aylor, to commit to the new elementary school project and to advertise for a public hearing at the August Board meeting to discuss funding.

Mr. David Maddox, County Attorney, questioned whether a specific amount should be included in the advertisement for public hearing on the appropriation.

Mr. Bossio stated that \$7.4 million was all that was available at the present time, and he would meet with Mr. Spencer to obtain the amount to be appropriated.

Mrs. Hansohn agreed.

Mr. Walker stated he endorsed the concept to move forward with an educational system that would stay ahead of population growth. He pointed out that the Board had been asking for a long-term plan for school construction for five years that would solve the overcrowding of the current schools. He expressed his appreciation for the cooperation of the School Board.

Mr. Nixon asked whether the motion included the endorsement of the plan to expand the Galbreath Marshall building. Mrs. Hansohn stated that was a separate issue. Mr. Nixon felt it was a package deal and should be included.

Mrs. Hansohn amended her motion, with Mr. Aylor's concurrence, that the Board endorse the concept for the new elementary school and advertise for a public hearing at the August meeting on building a new elementary school and renovating the Galbreath Marshall building.

Mr. Chase inquired whether the State had declared any funds for the School System to date. Mr. Bossio replied that the operational dollars had yet to be reconciled, and he did not know whether extra money would be coming back to the General Fund.

Mr. Aylor commented that the various meetings among the SOC, Interaction Committee, Board of Supervisors and School Board members had been very positive. He said a common goal had been identified and all parties shared a primary concern about the children and education, but pointed out that each member of this Board was concerned about the burdens on taxpayers and how their dollars were being spent. He stated that he agreed with Mr. Walker's comments regarding the illegal immigration situation and, from his personal knowledge, the construction industry was trying to address that issue because a skilled labor force was needed.

Mr. Coates asked Dr. Cox whether any State lottery funds had been returned to the School System. He noted that Harrisonburg had elected to earmark any lottery money received to be used for school construction and felt that Culpeper County should consider doing the same. Dr. Cox stated he did not have an answer to the question, but he would research the records and provide an answer.

Mr. Coates called for voice vote.

Ayes - Aylor, Chase, Coates, Hansohn, Nixon, Rosenberger, Walker

Motion carried 7 to 0.

Mr. Coates recessed the meeting at 11:14 a.m.

Mr. Coates called the meeting back to order at 11:33 a.m. xx

3-PARTY WATER AGREEMENT FOR ROBBINS DEVELOPMENT CORPORATION

Mr. John C. Egertson, Planning Director, asked the Board to consider a proposed three-party agreement among the Robbins Development Corporation, the County and the Town to provide water service for a proposed office/warehouse flex space development on Lovers Lane. He explained that Robbins Development Corporation owned approximately 8 acres on the corner of Route 720 (Lovers Lane) and Route 686 (Cedar Run Church Road) and had proposed to build three separate buildings to be used as office/warehouse combination buildings. He indicated that there was a drainfield on site that would provide septic service for the development and a Town-owned water line running down Lovers Lane that could provide water to the project. He stated that the three-party agreement was the same format used in prior water-only agreements. He said that the Town staff had indicated their ability to serve the project, and the Town Council would consider the three-party agreement and the related two-party agreement at its meeting next week.

Mr. Chase moved, seconded by Mr. Walker, to approve the three-party agreement.

Mr. Coates called for voice vote.

Ayes - Aylor, Chase, Coates, Hansohn, Nixon, Rosenberger, Walker

Motion carried 7 to 0.

COMMITTEE REPORTS

PUBLIC WORKS COMMITTEE REPORT - JUNE 12, 2006

Mrs. Hansohn reported that the Public Works Committee met, and there were no action items to bring forward to the full Board. She stated that the Committee had continued discussions with the Town's Water/Wastewater Committee regarding a joint water and sewer authority and the boundary line adjustment, and County and Town staffs had been asked to compile the points of interest in writing for discussion at the Committee's September meeting.

See Attachment #1 for details of meeting.

E-9-1-1 BOARD OF DIRECTORS REPORT - JUNE 15, 2006

Mrs. Hansohn reported that the E-9-1-1 Board of Directors met, and there were no action items to bring forward to the full Board.

See Attachment #2 for details of meeting.

PUBLIC SAFETY COMMITTEE REPORT - JUNE 15, 2006

Mr. Nixon reported that the Public Safety Committee met and had one action item to forward to the full Board:

1. Recommending to approve the resolution to request VDOT to post signs at designated positions on local residential streets or collector roads in the Village of Rapidan to increase the fine up to an additional \$200.00 for exceeding the posted speed limit.

Mr. Nixon moved, seconded by Mr. Chase, to approve the resolution to VDOT as recommended by the Committee.

Mr. Coates called for voice vote.

Ayes - Aylor, Chase, Coates, Hansohn, Nixon, Rosenberger, Walker

Motion carried 7 to 0.

See Attachment #3 for details of meeting.

AIRPORT ADVISORY COMMITTEE REPORT - JUNE 14, 2006

Mr. Bossio reported that the Airport Advisory Committee met, and there were no action items to bring forward to the full Board.

ECONOMIC DEVELOPMENT REPORT

Mr. Carl Sachs, Economic Development Director, informed the Board that a tour of the Merillat Industries facility had been scheduled for Thursday, July 13, at 9:00 a.m., and the Mayor, Town Council and Town Manager had been invited to participate. He said this tour was the first under the reinstated initiative to visit a major business or industry each quarter.

Mr. Sachs introduced Ms. Stacey Brown as the new Administrative Assistant in his office. He thanked the Department heads and staff for their support during the interim period without an assistant. He especially thanked Mrs. Valerie Lamb and her staff in assisting him in expediting financial documents, and the IT staff for providing technical assistance.

Mr. Sachs stated that the tax incentive payment for three businesses had been finalized, and he would make a presentation to Continental Teves, Euro Composites, and Structural Systems at the August Board meeting. He also stated that Mr. Ed Dumphy, Farmers' Cooperative Manager of Retail Purchasing, would be the luncheon guest at today's Economic Development Advisory Committee meeting.

ADMINISTRATOR'S REPORT

Mr. Bossio had no items to report.

CLOSED SESSION

Mr. Nixon moved to enter into closed session, as permitted under the following *Virginia Code* Sections, and for the following reasons:

1. Under *Virginia Code* §2.2-3711(A)(1), to consider: (A) Readvertising for an appointment to the Agricultural Resource Advisory Committee; (B) readvertising for an appointment to the Agricultural and Forestal District Advisory Committee; and (C) discussion regarding change in compensation for a specific employee.
2. Under *Virginia Code* §2.2-3711(A)(3), (A)(7) & (A)(30), for discussion with legal counsel and staff regarding the negotiation of an agreement with a specific private developer regarding water and sewer systems to be built south of Town and turned over to the County, where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the County.
3. Under *Virginia Code* §2.2-3711(A)(3), (A)(7) & (A)(30), for discussion with legal counsel and staff regarding the negotiation of an agreement with a specific private developer and wastewater treatment plant permit holder regarding construction of water and sewer systems in the North-Central part of the County and transfer of the systems and wastewater treatment plant permit to the County, where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the County.
4. Under *Virginia Code* §2.2-3711(A)(3), (A)(7) & (A)(30), for discussion with legal counsel and staff regarding the negotiation of an agreement with a specific private developer regarding construction of water and sewer systems in the Western part of the County, and transfer of the systems and a wastewater treatment plant permit to the County, where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the County.
5. Under *Virginia Code* § 2.2-3711(A)(3), (A)(7) & (A)(30), for discussion with legal counsel and staff to consider contracts for the purchase by the County of privately owned land in the North Central part of the County, where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the County.

Seconded by Mr. Walker.

Mr. Coates called for voice vote.

Ayes – Aylor, Coates, Hansohn, Nixon, Rosenberger, Walker

Nay – Chase

Motion carried 6 to 1.

The Board entered into closed session at 11:45 a.m.

Mr. Coates recessed the meeting at 12:10 p.m. for a lunch break.

The Board reentered into closed session at 1:45 p.m.

The Board returned to open session at 3:05 p.m.

Mr. Coates polled the members of the Board regarding the closed session held. He asked the individual Board members to certify that to the best of their knowledge, did they certify that (1) only public business matters lawfully exempted from the open meeting requirements under Virginia Freedom of Information Act, and (2) only such public business matters as were identified in the closed session motion by which the closed meeting was convened, were heard, discussed or considered by the Board in the closed session.

Mr. Coates asked that the record show that Mr. Chase did not return for the afternoon closed session.

Ayes - Aylor, Walker, Coates, Nixon, Rosenberger, Hansohn

Absent - Chase

Motion carried 6 to 0.

RE: READVERTISE VACANCY ON THE AGRICULTURAL RESOURCE ADVISORY BOARD

Mr. Nixon moved, seconded by Mrs. Hansohn, to readvertise the vacancy on the Agricultural Resource Advisory Board to fill a three-year term.

Mr. Coates called for voice vote.

Ayes – Aylor, Coates, Hansohn, Nixon, Rosenberger, Walker

Absent – Chase

Motion carried 6 to 0.

RE: READVERTISE VACANCY ON THE AGRICULTURAL & FORESTAL DISTRICTS ADVISORY BOARD

Mr. Nixon moved, seconded by Mr. Walker, to readvertise the vacancy on the Agricultural & Forestal Districts Advisory Committee to fill a four-year term.

Mr. Coates called for voice vote.

Ayes – Aylor, Coates, Hansohn, Nixon, Rosenberger, Walker

Absent – Chase

Motion carried 6 to 0.

RE: PURCHASE OF PROPERTY

Mr. Nixon moved, seconded by Mr. Aylor, that the County purchase approximately 79 acres from Thomasene M. Tarasuk in accordance with the sales contract signed by William D. Madden, Attorney in fact, for \$1.1 million, which is a portion of Tax Map/Parcel No. 43/29 in the Stevensburg Magisterial District.

Mr. Coates called for voice vote.

Ayes – Aylor, Coates, Hansohn, Nixon, Rosenberger, Walker

Absent – Chase

Motion carried 6 to 0.

RE: ADJOURNMENT

Mr. Aylor moved, seconded by Mrs. Hansohn, to adjourn at 3:06 p.m.

Mr. Coates called for voice vote.

Ayes – Aylor, Coates, Hansohn, Nixon, Rosenberger, Walker

Absent – Chase

Motion carried 6 to 0.

Peggy S. Crane, CMC
Deputy Clerk

John F. Coates, Chairman

Frank T. Bossio
Clerk to the Board

APPROVED: August 1, 2006